

## Minutes

### **Board of County Commissioners Hyde County**

**February 15, 2010**

Chairman Tom Davis called the Regular meeting of the Hyde County Board of Commissioners to order at 6:30 PM on Monday, February 15, 2010 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Area using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Tom Davis, Sharon Spencer, and Barry Swindell; County Attorney Sid Hassell; County Manager Carl Classen; Clerk to the Board Lois Stotesberry; and members of the public. The following members were present on Ocracoke: Commissioner Gene Ballance; Deputy Clerk to the Board Jamie Tunnell; and, members of the public.

Following the pledge of allegiance and opening prayer by Commissioner Spencer the meeting was called to order.

#### **Agenda:**

Chairman Davis asked for any changes to the February 15, 2010 meeting Agenda as presented by the Clerk.

Commissioner Byrd moved to approve the agenda. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

#### **Consideration of Minutes:**

Chairman Davis asked for approval of meeting minutes.

Commissioner Ballance moved to approve the January 19, 2010 Regular Meeting minutes as presented by the Clerk. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

#### **Employee Honors:**

Chairman Davis commended Barbara Deese, Detention and Telecommunications Administrator, for 20 years-of-service to the Hyde County Sheriff's Department. Ms. Deese was not present.

#### **Special Presentations:**

#### **Hyde County Board of Education – School Improvement Project Update**

Superintendent Greg Todd gave an update on the School Improvement Project. Mr. Todd reported that drawings are completed and interviews with "Construction Manager at Risk" firms will be conducted with bid opening in March. Eight classrooms at Mattamuskeet High School and a gymnasium on Ocracoke will be the focus of this project.

Finance Officer Jessica Gibbs has completed the NC Local Government Commission (LGC) Qualified School Construction Bond (QSCB) Application and the item is expected to be on the April 6 LGC Agenda. Financing contracts are expected to be signed later that month and construction contracts can be signed immediately following execution of the financing contracts.

Mr. Todd estimated a cost of \$457,000 for a new cafeteria at Ocracoke School. QSCB funds and/or NC Lottery funds allocation are possible resources of funding for the cafeteria later in 2010.

County Manager Carl Classen recommends that an independent project inspector be required on this project.

### **Dare County Hotline - Update**

Norma Hill, Associate Director of Dare County Hotline; Janey Spencer, Education Outreach Specialist; and, Eve Contreras, Hyde County Advocate gave an update on their efforts to provide domestic violence and sexual assault victims services in Hyde County and to mentor transition of those services to Hyde County.

Dare County Hotline was approached by the State in the spring 2009 when the former provider, OPTIONS, continued having financial and operational problems. In fall 2009, OPTIONS shut down and a team made up of Sheriff David Mason, Clerk of Court Sharon Sadler, and Social Services Director Gloria Spencer began meeting with the County Manager to design a Hyde County-based system for the provision of services to victims of sexual assault and domestic violence. As noted in a briefing to the Commissioners in January 2010. Dare County Hotline representatives are participating in two professional advisory committees (Mainland; Ocracoke) that are tasked with developing a service plan for Hyde County. That plan is expected to be presented to the County Commissioners in April 2010.

If the Commissioners approve a Hyde County plan is approved in spring 2010 and is implemented in FY2010-11, full service responsibility, plus State and federal funding, can transition from Dare County Hotline to the Hyde County entity (county; non-profit; or hybrid) beginning in FY2011-12.

### **Public Comments:**

#### **Hyde County Hazard Mitigation Plan**

Chairman Davis called for comments from the Board and the public on both the Mainland and Ocracoke on the Hazard Mitigation Plan.

The Hyde County Hazard Mitigation Plan Update, which was written internally over the past three years and has been the subject of one public hearing and at least two public comment agenda items, has been approved by the federal government and must be approved one last time by the Board of Commissioners.

Many thanks are due to Jessica Gibbs, Jane Hodges, and Kris Noble who over the past three years have supplied strong efforts to get this Update completed and through the State and federal government approval processes.

Hearing no comments from the public, Commissioner Swindell moved to adopt the Hyde County Hazard Mitigation Plan. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of "Hyde County Hazard Mitigation Plan" is available for review in the County Manager's office.*

Chairman Davis called for comments from the public on other topics.

Elizabeth White, Ocracoke, stated she would be cut off from her property on Winnie Blount Road if the road is closed.

Janet Anthony, Ocracoke, stated she cannot give Frank Brown an easement on her property if Winnie Blount Road is closed because it would lower her property value.

There being no further comment from the public, Chairman Davis continued the meeting.

### **Ordinances and Resolutions:**

#### **Transfer of Ambulance to Ocracoke Fire Protection Association**

Per the February 1 packet of material (copy attached) mailed to the County Commissioners, Ocracoke Fire Department – through the Ocracoke Fire Protection Association, Inc. – has requested the 1993 ambulance that has been used on Ocracoke since before the County began entering into

management contracts with Ocracoke Health Center for providing ambulance service (and has only occasionally been used since 2007 when those contracts ended). A request from the Ocracoke Fire Department signed by the Fire Chief Albert O'Neal, and a recommendation to make the transfer from Emergency Services Director Mark O'Mara were received by the County.

By law, a resolution must be adopted indicating the Commissioners desire to make the transfer. Such resolution must be advertised and the transfer may not occur prior to ten days after the advertisement.

Commissioner Spencer moved to approve Resolution No. 2010-02-01 "Resolution of the Hyde County Board of Commissions Transferring a Vehicle to the Ocracoke Fire Protection Association" and to direct the Clerk to the Board to have the Resolution advertised once and authorize the County Manager to transfer the vehicle to the Ocracoke Fire Protection Association, Inc. subject to a procedure and conditions recommended by the County Attorney. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of "Resolution of the Hyde County Board of Commissions Transferring a Vehicle to the Ocracoke Fire Protection Association" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **National Marine Protection Area**

Commissioner Ballance has provided a Resolution approved by the Carteret County Commissioners in regards to the proposed establishing National Marine Protection Areas (MPA's) for Cape Hatteras and Cape Lookout National Seashores.

Commissioner Ballance moved to approve Resolution No. 2010-02-02 "Resolution of the Hyde County Board of Commissions Opposing Inclusion of the Cape Hatteras National Seashore and the Cape Lookout National Seashore into a National Marine Protection Area (MPA)" using such language as is used in a similar Resolution by Carteret County with addition on page 2 – line 16 economic and cultural impacts and on line 20 including but not limited to; and to further, direct the Clerk to send a copy of the Resolution to the Hyde County, Dare County and Carteret County congressional delegation, plus to Hyde County's State legislative delegation. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of "Resolution of the Hyde County Board of Commissions Opposing Inclusion of the Cape Hatteras National Seashore and the Cape Lookout National Seashore into a National Marine Protection Area (MPA)" is attached herewith as Exhibit B and incorporated herein by reference.*

Chairman Davis called for a five minute recess at 7:20 PM.

#### **Appointments:**

##### **Ocracoke Sanitary District**

Letter of resignation from Susan S. O'Neal from the Ocracoke Sanitary District Board effective January 12, 2010 and from Robert J. Touhey who will resign effective March 1, 2010 creates two vacancies on the Board.

After discussion, Chairman Davis directed the Board to proceed with the normal appointment process for Ms. O'Neal's and Mr. Touhey's vacancies.

##### **Hyde County Transit**

Per e-mail from Director Beverly Paul dated February 4, 2010, Mr. Steve Lambert, Albemarle RPO Representative has agreed to serve on the Hyde County Transit Board.

Commissioner Swindell moved to appoint Mr. Steve Lambert, Albemarle RPO Representative to serve on the Hyde County Transit Board. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

**Other Matters:**

**Budget Amendments**

County Manager Carl Classen reported to the Board that in accordance with the FY2009-10 Budget Ordinance several budget transfers were made administratively and he requested approval of the following:

- A. Home Health: \$20,500; increase in Salaries to cover payroll and contract MSW expenditures for new Social Worker II hired temporarily. This transfer will not increase the overall budget for Home Health.
- B. Water: \$9,000; increase in phone bills; computer support fees; and additional cost for uniforms for additional employees. This transfer will not increase the overall budget for the Water Department but exceeds the limit the County Manager may approve administratively.
- C. Tax: \$3,000; increase in training and travel to cover required training for the newly appointed Deputy Tax Administrator. This transfer does increase the overall budget for the Tax Department.

Commissioner Byrd moved to approve budget amendments as presented by County Manager Carl Classen. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

**Approval of Execution of Grant Agreement and Funding Approval, Signatory Form and Certification Cards and Vendor Electronic Payment Form for Community Development Block Grant Recovery Project Number 09-C-2036**

Hyde County has been notified that it has been approved for a \$245,000.00 CDBG-SBEA 2009 Grant #09-C-2036 under the CDBG - SBEA (Small Business Entrepreneurial Assistance) Program. The funds will be used to support small business expansion and entrepreneurial advancement efforts. The three project companies selected are: Williford Auto Supply; Ocracoke Seafood Company, Inc.; and, Beck's LLC.

Commissioner Byrd moved to approve the CDBG Recovery Project Grant Agreement and Funding Approval; authorize the Chairman to execute the Grant Agreement and Funding Approval; and, authorize the Chairman, Finance Officer, County Manager, and Planner to execute the Signatory Form and Certification Cards as well as the Vendor Electronic Payment Form, as required by the North Carolina Department of Commerce's Division of Community Assistance. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of "Grant Agreement and Funding Approval CDBG No. 09-C-2036" is attached herewith as Exhibit C and incorporated herein by reference.*

**Swan Quarter Watershed Phases XII & XIII**

Phase XII of the Swan Quarter Watershed Project is in the final stages of completion. Jerry Harris and Kris Noble will present a history of the construction of this phase of the project with photographs of the project site and a narrative presentation is to accompany.

Phase XIII of the Swan Quarter Watershed Project is expected to go to out for bids in late February or early March. Hyde County is in the process of preparing all prerequisites required by NRCS prior to entering into the project agreement. A presentation will be given by Jerry Harris and Kris Noble on the overall design and route of the dike as well as budgetary information.

Chairman Davis moved that funding is available to move forward on Swan Quarter Dike – Phase XIII at an estimated local cost share of \$210,622. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

### **Recess**

Due to video conferencing equipment failure, Chairman Davis recessed the meeting at 8:30 PM. Hearing no objection, Mr. Davis so ordered to re-convene the February 15, 2010 County Commissioners Regular Meeting at 6:30 PM on Monday, February 22, 2010 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Area using electronic conferencing equipment.

Chairman Davis called the meeting back to order at 6:30 PM on Monday, February 22, 2010.

### **Swan Quarter STEP Project – Courthouse Renovation Planning Project**

Hyde County solicited written qualification statements (Request for Qualifications, RFQ) from qualified individuals and architectural firms for architectural services for the renovation of the Old Courthouse in Swan Quarter, NC. In addition to publishing and advertisement in the Coastland Times on December 31, 2009, the RFQ was also placed on the Hyde County Government Website. RFQ's were due by January 25, 2010.

The Hyde County Planning Office received eight (8) proposals from the following responding firms by the close of business on January 25, 2010: Cahoon & Kasten Architects, Nags Head, NC; Hager Smith Design, PA, Raleigh, NC; Burnette Architecture and Planning, Morehead City, NC; MB&J Architecture, Raleigh, NC; Roughton, Nicholson & DeLuca, Durham, NC; Beacon Architecture, Kitty Hawk, NC; Jeffrey A. Lees, AIA, Baltimore, Maryland; and, Williard Fern Architects, Raleigh, NC.

The RFQ's have been evaluated and ranked by a committee from the Swan Quarter Service Group, consisting of Steve Bryan, President; George Williams, member of the Oversight Committee for the Old Hyde County Courthouse; and, Alice Keeney, Planner/Economic Developer. The proposals were rated on criteria related to Scope of Services to include experience of the firm, prior related experience, technical experience including consultants and engineers, proximity to client, and Hyde County experience. These categories were evaluated by the firm's previous work on historic structures, work in North Carolina coastal counties, work in rural villages, work in Hyde County and work on publicly - owned structures.

Commissioner Byrd moved to rank the firm of Cahoon & Kasten of Nags Head, NC as top applicant and authorize the County Manager to negotiate and execute a contract within the budget and other limits of the Rural Center Grant for the NC STEP Community of Swan Quarter (Contract 2008-219-60401-107) to carry out the duties of the architect as described in Exhibit A. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

### **Airport Property Lease**

The existing land lease with Eric Cahoon at the Engelhard Airport terminated on December 31, 2009. The County Manager has spoken with the current leaseholder, who is interested in extending the lease. He has asked for a three-year renewal but the County Manager suggests a one-year extension under essentially the same terms and conditions (subject to County Attorney review).

The County Manager suggests the Commissioners go out for bid for a three-year lease with a term beginning on January 1, 2011.

Please note that the existing land lease includes language that the County may withdraw 50 acres of land (page 2; paragraph 6 from the lease upon appropriate payment for lost crop revenues.

This is important if, during the lease period, the runway extension project is undertaken however it might be wise to make the acreage higher.

After discussion, Commissioner Swindell moved to approve one-year additional term (until December 31, 2010) of the existing ground lease at the Engelhard Airport with the current leaseholder under essentially the same terms and conditions but with a higher acreage that could be withdrawn; and to direct the County Attorney to draft an appropriate lease and authorize the Chairman, Clerk, County Manager and other County officials to sign and execute necessary documents in support of this action. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

After further discussion, Commissioner Spencer moved to direct the County Manager to put out for bid a five-year land lease at the Engelhard Airport and to report back with a bid tab. Chairman Davis seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

### **East Carolina Behavioral Health LME**

County Manager Carl Classen presented an outline of procedures for the former member counties of Albemarle Mental Health Center (AMHC) to dissolve that organization and to join East Carolina Behavioral Health (ECBH) as prepared by ECBH. This is the direction several of the AHMC counties (notably Dare and Pasquotank), along with most others, are already proceeding; especially given that a Local Management Entity (LME) must have either a minimum of 200,000 population or six counties.

Absent a waiver from the State for a single-county LME, Hyde County will be essentially forced to join ECBH. On the positive side, in discussions with the Sheriff, Clerk of Court, and Social Services Director, some services have improved since ECBH took over (notably the mobile crisis teams) but some have gotten worse (mental health services on Ocracoke) and some non-existent (help with the Mattamuskeet Opportunities ADAP Center). The team mentioned above has stated two services vitally needed are Alcoholics Anonymous and Narcotics Anonymous. The County Manager is working with team members to see how these services can be provided adequately on both the Mainland and Ocracoke.

Chairman Davis moved to direct the County Manager to research who provides mental health services for Pamlico and Carteret counties; research at least one other provider; and, to investigate Hyde County joining with East Carolina Behavioral Health LME and to report back on the method by which the County would join with ECBH to the County Commissioners. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

### **County Commissioners Reports:**

**Commissioner Ballance** reported that Jennifer Garrish (Ocracoke School Science Teacher) and Bill Caswell (Park Ranger) wish to fill two vacancies on the Ocracoke Sanitary District Board.

Commissioner Ballance moved to amend the February 15, 2010 Commissioners Meeting Agenda and to appoint Jennifer D. Garrish to fill the term previously held by Susan S. O'Neal and to appoint of William (Bill) F. Caswell to fill the term previously held by Robert (Bob) J. Touhey. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

Commissioner Ballance also reported that he attended the Division of Marine Fisheries (DMF) meeting in New Bern where approximately 90 fishermen attended and 70 commented on the recent large mesh gill net ban. Mr. Ballance recommends opening gill netting on Monday – Thursday and closing on Friday – Sunday as an alternative method of preserving fish population.

**Commissioner Swindell** reported that the FY2009-10 Budget included funding for maintenance of the Engelhard Recreation Park and asked that funding for maintenance of the O. A. Peay School baseball field be included in the FY2009-10 Budget.

Commissioner Swindell moved to amend the February 15, 2010 Commissioners Meeting Agenda and to support Hyde County Babe Ruth Baseball League - recreation field maintenance at O. A. Peay School Building; to direct the County Manager to amend the FY2009-10 budget to allocate \$5,000 for maintenance costs contingent upon approval by the Hyde County Board of Education who owns the property; and to direct County staff to meet with Danny Thomas, League Representative to discuss the project. Mr. Byrd seconded the motion. The motion passed on the follow vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

**Commissioner Spencer** reported that she attended a farmer's appreciation luncheon; Lakeview Road meeting; Hunter's Helping Kids meeting; and "Coffee" at Albemarle Commission.

Commissioner Spencer moved to amend the February 15 agenda and to adopt "Resolution Opposing Changes to The Essential Standards for The United States History Curriculum In Our State's Public Schools"; and to send a copy to NC Superintendent of Public Instruction June St. Clair-Atkinson. Mr. Byrd seconded the motion. The motion passed on the follow vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy Of "Resolution Of The Hyde County Board of Commissioners Opposing The Proposed Changes To The Essential Standards For The United States History Curriculum In North Carolina Public Schools" is attached herewith as Exhibit D and incorporated herein by reference.*

Ms. Spencer also questioned attendance by Representative Ballance at the NC Coastal Resources Commission meetings.

**Commissioner Davis** asked that the Board of Elections correct his affiliation from Democrat to Republican.

#### **Public Comment:**

Jamin Simmons, Fairfield, thanked the Board for his appointment to the North Carolina Coastal Resources Commission.

No other Board or Committee reports were offered so Chairman Davis continued with the Agenda.

#### **County Manager's Report:**

County Manager Carl Classen reported on various projects underway in the County and on other issues, including the following:

1. **Working Watermen's Association:** The County Manager will meet with Commissioner Ballance on Thursday to discuss a list of possible members.
2. **Tax Collections:** The County Manager and Tax Administrator recently met with the Tax Office staff and reviewed the expectations for tax collections and the annual tax collection calendar. Hyde County second notices of delinquency (2009 taxes and earlier; the bill is the first notice) were mailed the week of February 8; the list of 2009 delinquent taxes will be published in the paper in early- to mid-March; the final list of all delinquent taxes will be prepared in late April; the Tax Administration and Tax Collection Technician will meet with the County Attorney in May 2010 so the County Attorney can begin further legal proceedings for collection. Garnishment letters to major employers are being sent and garnishments will be instituted throughout the spring until files are turned over to the County Attorney. Use of the Debt Set-Off Program is expected to begin in 2011. All 2009 taxes should be collected by December 31, 2010 or under garnishment or under a payment

agreement. 2010 taxes will become delinquent in early January 2011, when the collection cycle will repeat itself.

This tax collection process is essentially the same one used in all counties except other counties typically do not allow two-year payment agreements. Hyde County allows them due to the economic hardships of some taxpayers. The agreements require payment of the taxes, penalties and interest; plus, the agreement requires that current taxes be paid timely. Having an agreement is no financial benefit to a delinquent taxpayer except to allow steady payments to be made over time.

3. EMS Monitors: The County Commissioners discussed the issue of leasing heart monitors twice previously but the lease amount was not approved. In speaking with Medical Director Dr. Charles Boyette on February 9, he noted support for getting consistent monitors on all Hyde County ambulances as that will aid patients since any EMT getting on any ambulance will know how to properly operate the monitor. As to the cost, Dr. Boyette suggested that the County enter into a lease that allows for pre-payment without penalty and then work with OEMS, Beaufort County Community College, and Pungo District Hospital on possible grants to pay off lease amount.

Commissioner Swindell moved to enter into a lease that allows for pre-payment without penalty and then work with OEMS, Beaufort County Community College, and Pungo District Hospital on possible grants to pay off lease amount; and, direct the County Attorney to review the agreement and negotiate a contract. Mr. Byrd seconded the motion. The motion passed on the follow vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell. Nays – None; Absent or Not Voting – None.

4. Collective Bargaining: Federally mandated collective bargaining for public safety employees (e.g., law enforcement, emergency medical, firefighters, others) is coming closer to reality. Congressman Jones is now co-sponsor of a collective bargaining bill that passed the House in the previous Congressional session. A proposal is now moving through Congress that sets up a system for federally mandated collective bargaining. No action required at this time. Commissioners are encouraged to speak with Representative Walter B. Jones, Senator Kay Hagan; and Senator Richard Burr to express opposition to a collective bargaining bill.
5. Employee Retirement Contribution: County Manager Carl Classen reported on information about an increase in the mandatory requirement contribution for County employees. This rate has not increased from 4.88% since the 1980's but is expected to increase to over 9% in the coming decade to keep the system solvent. Stocks are approximately 50% of the retirement system's assets so a commensurate rise in the retirement system's stock portfolio would likely reduce the maximum rate necessary. Approximate cost to the County is \$5,500.
6. State 9-1-1 Plan: A legislative Study Committee is considering recommendations from a 9-1-1 Working Group. Overall, the plan is very good as it broadens the allowance of 9-1-1 fees to include things for transmitting information and not just receiving calls. However, the plan is VERY expensive for Hyde County as it mandates two telecommunicators at all times, which is a doubling of Hyde County's normal one person on duty. Further, the plan directs that new money goes towards encouraging consolidation of PSAP's (primary dispatch centers) rather than making new funds available to all dispatch operations. Hyde County has no practicable way to consolidate with another dispatch center as the geography covered would be too massive for telecommunicators to properly know the entire area.
7. Mattamuskeet Lodge Sewer Project: County Manager Carl Classen presented an update on Mattamuskeet Lodge Sewer Project: Phase I – Engelhard WWTP Upgrade and Expansion; Phase II – Mattamuskeet Lodge Forcemain; and Phase III – Mattamuskeet School Forcemain. No action required at this time.
8. Swan Quarter Dike Project: Report on Phase 11, 12, and 13 will be presented at a later meeting.
9. Swan Quarter Dike Maintenance Assessments: The County Attorney will discuss his findings to-date on the establishment of assessment districts to maintain the Dike during a later meeting.



10. Domestic Violence Services: Presently Dare County Hotline is mentoring these services in Hyde County following the dissolution of OPTIONS last fall. The professional advisory committee (Sheriff Davis Mason, Clerk of Court Sharon Sadler, and Social Services Director Gloria Spencer) feels the County should stay on the path approved by the County Commissioners as it provides the best hope of having Hyde County-based services employing Hyde County-based staff. The team recommends that the Commissioners fund a part time person beginning in July 1 who will begin monitoring and coordinating domestic violence and sexual assault services in Hyde County with the intent that a Hyde County-based group receive the State/federal domestic violence/sexual assault services funding beginning July 1, 2011. These services would then be provided as outlined in the plan developed by the professional advisory committee either through qualified personnel or through contracts with other agencies to provide services.

This recommendation does not pre-judge the work of the professional advisory committee but would let the State and local officials know the way forward Hyde County intends to take implementing the plan developed by the professional advisory committee.

As directed by the Commissioners, the recommendation from the team will be included in the proposed FY2010-11 budget and the matter will be highlighted for the Commissioners budget discussion.

11. Mental Health Services: Discussion about future relationships for the provision of mental health services in Hyde County continues.
12. Engelhard Airport Advisory Committee – Long-Range Study: The Engelhard Airport Advisory Committee met in late January and developed a long-range study regarding future viability of the Airport and how the Airport fits the needs of the community, the county, and the region. This long-range study has been strongly recommended by NCDOT prior to future funding of Airport improvements. The study will cost \$20,000; of which 90% is to be paid by State aviation improvement funds. The study will be done by Cahoon & Kasten in conjunction with Talbert & Bright, the engineers for the Engelhard Airport. The study, which will focus on both needs and needed improvements, and is expected to be completed by April 2010 for consideration by the County Commissioners in May/June 2010.
13. Courtroom Security and Audio/Visual: Sheriff Mason has worked with Clerk of Court Sharon Sadler and the County Manager on a courtroom security system implemented by Sheriff Deputies that will electronically screen court participants for weapons. The total cost is expected to be under \$10,000 but for security reasons, no further information is being given here. The Clerk of Court is also working with the District Attorney and Chief Judge on an enhanced audio-visual system for use in the courtroom. The project is still in development but will aid in functions from witness testimony to jury education. Both the security project and the audio-visual project will be entirely funded from Court Facility Fees.
- Chairman Davis recommends asking for input from judges who use the courtroom.
14. Ocracoke Development Board of Adjustment: Hearing no objection, Chairman Davis directed County Attorney Sid Hassell to draft an amendment clarifying provisions of the Ocracoke Development Ordinance and to establish fees for the cost of administering the ordinance.
15. Monthly Reports: Reports ending January 31, 2010 from the Finance Office – Revenues and Expenditures and Sales Tax and Occupancy Tax; Tax Office – Tax Collections; Health Department- Summary Report; and, Register of Deeds – Summary Report, were discussed.

There being no further matters to come before the Commissioners, Mr. Davis continued the meeting.

#### Closed Session

Commissioner Swindell moved to enter closed session in accordance with NCGS 143-318.11(a)(6) – Personnel Matters; NCGS 143-318.11(a)(4) – Industrial Client; and, NCGS 143-318.11(a)(3) – Consultation With Legal Counsel. Mr. Davis seconded the motion. The motion

passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners entered closed session at 7:50 P.M.

Commissioner Byrd moved to return from Closed Session. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners entered regular session at 9:20 P.M.

Commissioner Byrd moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The meeting adjourned at 9:24 PM.

Respectfully submitted:

Minutes approved on the 15<sup>th</sup> day of March, 2010.



Lois Stotesberry, Clerk - Hyde County Board of Commissioners



Tom Davis, Chairman - Hyde County Board of Commissioners

Attachments:

Exhibit A – *“Resolution of the Hyde County Board of Commissions Transferring a Vehicle to the Ocracoke Fire Protection Association”*

Exhibit B – *“Resolution of the Hyde County Board of Commissions Opposing Inclusion of the Cape Hatteras National Seashore and the Cape Lookout National Seashore into a National Marine Protection Area (MPA)”*

Exhibit C – *“Grant Agreement and Funding Approval CDBG No. 09-C-2036”*

Exhibit D – *“Resolution Of The Hyde County Board of Commissioners Opposing The Proposed Changes To The Essential Standards For The United States History Curriculum In North Carolina Public Schools”*